



Dkt. 0575/59167-A-PCT-US/JPW/BJA

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David J. Pinsky
U.S. Serial No. : 10/049,320
Filed : February 6, 2002
For : CD39/ECTOADPASE FOR TREATMENT OF
THROMBOTIC AND ISCHEMIC

1185 Avenue of the Americas
New York, New York 10036
July 26, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO MAY 29, 2002 NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. §371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

This Communication is submitted in response to a May 29, 2002 Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the May 29, 2002 Notification is due July 29, 2002. Accordingly, this Communication is being timely filed.

The Notification of Missing Requirements indicates that the Oath or Declaration is missing. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants submit as **Exhibit B** hereto a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.497(a) and (b), the Declaration refers to the international application's above-identified International Application number and international

Applicants : David J. Pinsky
U.S. Serial No.: 10/049,420
Filed : February 6, 2002
Page 2

filing date.

The surcharge under 37 C.F.R. §1.492(e) for submitting the enclosed Declaration for a small entity is SIXTY FIVE DOLLARS (\$65.00), and a check for this amount is enclosed.

The Notification of Missing Requirements indicates that the Application fails to comply with 37 C.F.R. §1.821 - §1.825.

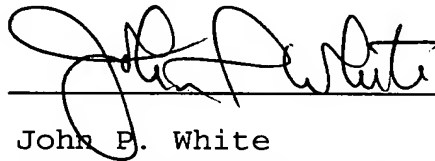
In response, applicant hereby states that the computer readable form in this application, 10/049,320, is identical with that filed in Application Serial No. 09/374,586 filed August 13, 1999. In accordance with 37 C.F.R. §1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the originally filed specification of the instant application, and applicant attaches hereto a Statement in Accordance with 37 C.F.R. §1.821(f) as **Exhibit C**.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants : David J. Pinsky
U.S. Serial No.: 10/049,320
Filed : February 6, 2002
Page 3

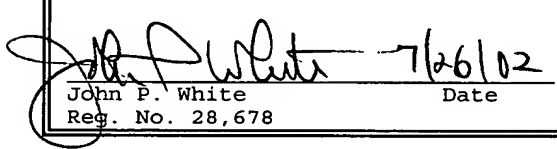
No fee, other than the enclosed \$65.00 surcharge, is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. BOX Missing Parts



John P. White
Reg. No. 28,678

7/26/02
Date

03/03/2002 GREY1 00000076 10049320

FC:254

65.00 CP

JPW

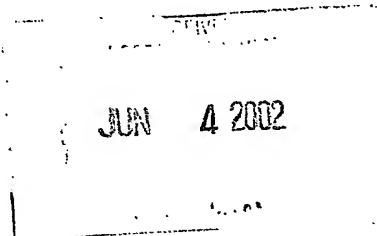


UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/049,320 | David J. Pinsky | 59167-A-PCT-US/JPW/FHB |

John P White
 Cooper & Dunham
 1185 Avenue of the Americas
 New York, NY 10036



INTERNATIONAL APPLICATION NO.

PCT/US00/22060

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 08/11/2000 | 08/13/1999 |

CONFIRMATION NO. 3716

371 FORMALITIES LETTER



OC000000008163254

Date Mailed: 05/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

2m. 7.29.02

3m. 8.29.02

4m. 9.29.02

5m. 10.29.02

6m. 11.29.02

7m. 12.29.02

AP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------------|
| 10/049,320 | PCT/US00/22060 | 59167-A-PCT-US/JPW/FHB |

FORM PCT/DO/EO/905 (371 Formalities Notice)